

REMARKS

Claims 11 to 20 are pending. Claim 11 is currently amended. Support for the amendment can be found in claim 11 as originally filed. Reconsideration of the application is respectfully requested.

§ 112 Rejections

Claims 11-20 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action states that claim 11 sets forth a heat conductive foam sheet “wherein the heat polymerization and foaming reactions of the (meth)acrylic monomer or its partial polymer occurs in the same heating step.” The Office Action further states that it is unclear how this process limitation further limits the claims which are directed to a product.

In response, Applicants have stricken the phrase “wherein the heat polymerization and foaming reactions of the (meth)acrylic monomer or its partial polymer occurs in the same heating step” from the amended claim, rendering the rejection moot.

In summary, Applicant submits that the rejection of claims 11-20 under 35 USC § 112, second paragraph, has been overcome, and that the rejection should be withdrawn.

§ 103 Rejections

Claims 11-20 are rejected under 35 USC § 103(a) as being unpatentable over Fischer et al. (US 2004/0241417), herein “Fischer”, in view of Yang et al. (US 6,841,612), herein “Yang”. Applicants respectfully traverse the rejection, at least for the reason that none of the references relied upon, either alone or in combination, teach or suggest all of the elements of claim 11.

The summary of the rejections in the Office Action has been presented in the previous response. The Office Action has not presented a *prima facie* case of obviousness.

Applicant's claim 11 is directed to a heat conductive foam sheet comprising a heat polymerized molded article **made from a** foam sheet-forming **composition comprising, in combination,** the following components:

a heat-polymerizable binder component comprising at least one (meth)acrylic monomer or its partial polymer,
a heat conductive filler,
a heat polymerization initiator for said binder component, and
a foaming agent;
wherein the foam sheet is a compressible, adhesive foam sheet. (emphasis added)

Nowhere does Fischer teach or suggest a foam sheet-forming composition comprising all of the elements recited in Applicants claim 11. Specifically, Fischer at least does not contemplate a foam sheet-forming composition comprising, in combination, a heat-polymerizable binder component comprising at least one (meth)acrylic monomer or its partial polymer, a heat conductive filler, a heat polymerization initiator for said binder component, and a foaming agent.

In no composition contemplated by Fischer are all of the recited components *in the form required by the claim*. Fischer contemplates a composition comprising a polymeric PSA, i.e., a polymerized binder with other components. The polymerization reaction has already occurred in Fischer before the additional components are blended to form the composition.

Yang provides nothing to overcome the deficiencies in Fischer. Neither Fischer nor Yang recognized the benefit of combining heat polymerization and foaming as disclosed by applicant, by providing a composition comprising, in combination, a heat-polymerizable binder component comprising at least one (meth)acrylic monomer or its partial polymer, a heat conductive filler, a heat polymerization initiator for said binder component, and a foaming agent.

The rejection of claim 11 under 35 USC § 103(a) as being unpatentable over Fischer in view of Yang has been overcome and should be withdrawn.

Claims 12-20 each add additional features to claim 11. Claim 11 is patentable for the reasons given above. Thus, claims 12-20 are likewise patentable.

In summary, the rejection of claims 11-20 under 35 USC § 103(a) as being unpatentable over Fischer in view of Yang has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application as amended is requested.

Applicant requests a telephone interview to more fully understand the examiners position and advance this case to issuance.

Respectfully submitted,

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